

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

In re:)	Chapter 7
)	
MACK INDUSTRIES, LTD., et al.,)	Case No. 17-09308
)	(Jointly Administered)
Debtors. ¹)	
)	Honorable Carol A. Doyle
)	
RONALD R. PETERSON , as chapter 7 trustee)	
for Mack Industries Ltd.,)	
)	Adversary No. 19-00509
Plaintiff,)	
)	
v.)	
)	
RIVERTON CABINET COMPANY,)	
)	
Defendant.)	

**DEFENDANT’S OBJECTION TO TRUSTEE’S MOTION TO COMPEL
RESPONSES TO DISCOVERY**

Defendant, Riverton Cabinet Company, by and through its undersigned counsel, for its Objection (the “**Objection**”) to *Trustee’s Motion to Compel Responses to Discovery* (Dkt. No. 46) (the “**Motion**”) respectfully states as follows:

1. Plaintiff seeks relief pursuant to Rule 37(a)(3) of the Federal Rules of Civil Procedure, made applicable to this proceeding pursuant to Rule 7037 of the Federal Rules of Bankruptcy Procedure.

¹ The debtors, with their respective bankruptcy case numbers, are as follows: Mack Industries, Ltd. (17-09308); Oak Park Avenue Realty, Ltd. (17-16651); Mack Industries II, LLC (17-16859); Mack Industries III, LLC (17-17106); Mack Industries IV, LLC (17-17109); Mack Industries V, LLC (17-03445); and Mack Industries IV, LLC (17-03451).

2. Rule 37(a)(1) provides in pertinent part: “The motion must include a certification that the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action.”

3. The Motion does not include a certification required by the rules. Therefore, Defendant respectfully submits the Motion must be denied.

WHEREFORE, Defendant respectfully requests that the Objection be sustained, the Motion be denied, and that Defendant be granted such further relief as may be equitable and just.

Dated: August 17, 2021

RIVERTON CABINET COMPANY

By: /s/ Charles S. Stahl, Jr.
One of its Attorneys

Charles S. Stahl, Jr. (I.D. No. 2699915)
Swanson, Martin & Bell, LLP
2525 Cabot Drive, Suite 204
Lisle, IL 60532
(630) 799-6990
(630) 799-6901 – Fax
cstahl@smbtrials.com

CERTIFICATE OF SERVICE

I, Charles S. Stahl, Jr., an attorney, hereby certify that I caused a true and correct copy of the foregoing *Defendant’s Objection to Trustee’s Motion to Compel Responses to Discovery* to be served upon all parties who are registered to receive notice of this proceeding through the court’s ECF filing system on this 18th day of August, 2021.

/s/ Charles S. Stahl, Jr.

Charles S. Stahl, Jr.
SWANSON, MARTIN & BELL, LLP
2525 Cabot Drive, Suite 204
Lisle, IL 60532
(630) 799-6990
Fax: (630) 799-6901
Attorney I.D. 2699915